

**ORIGINAL**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

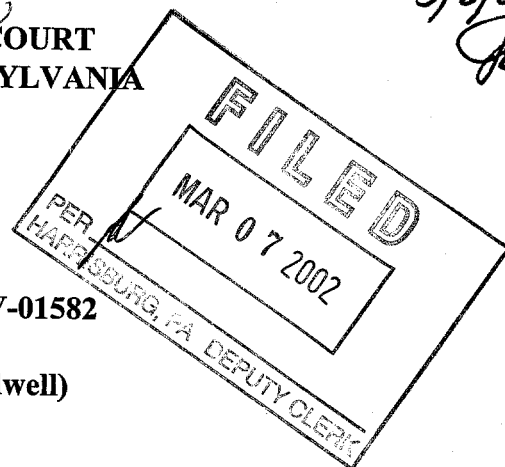
**PENNSYLVANIA PROTECTION AND  
ADVOCACY, INC.**

**Plaintiff**

**v.**

**DEPARTMENT OF PUBLIC WELFARE, et al. : (Judge Caldwell)  
Defendants :**

**No. 1:00-CV-01582**



**UNOPPOSED MOTION FOR A ONE DAY  
ENLARGEMENT OF TIME TO FILE REPLY BRIEF**

Pursuant to Fed. R. Civ. P. 6 (b), defendants move for an enlargement of time of one day to file their reply brief in support of defendants' motion to dismiss. In support of this motion, defendants state as follows;

1. This action challenges the conditions existing and the treatment provided at the South Mountain Restoration Center under the Americans with Disabilities Act, the Rehabilitation Act, Title XIX of the Social Security Act and the Fourteenth Amendment.
2. On November 29, 2001, the plaintiff submitted a second amended complaint. Defendants moved to dismiss the complaint.
3. On February 5, 2002, defendants filed their brief in support of the motion to dismiss. On February 19, 2002, the plaintiff filed their brief in opposition to the motion.
4. Under Local Rule 7.6 and Fed.R.Civ.P. 6, defendants' reply brief is due on March 7, 2002.
5. Counsel for defendants is not able to complete defendants' brief on time to file it on March 7, 2002.
6. Therefore, defendants are seeking an enlargement of one day or until March 8,

2002 to file their brief.

7. Counsel has conferred with plaintiff's attorney regarding this motion. Plaintiff does not object to the enlargement.

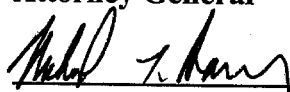
8. Moreover, the enlargement will not delay this matter.

**WHEREFORE**, defendants respectfully request the Court to enlarge the time within which they must file their reply brief in support of defendants' motion to dismiss, by one day or until March 8, 2002.

Respectfully submitted,

**D. MICHAEL FISHER**  
Attorney General

BY:

  
\_\_\_\_\_  
**MICHAEL L. HARVEY**  
Senior Deputy Attorney General

**SUSAN J. FORNEY**  
Chief Deputy Attorney General  
Chief, Litigation Section

15<sup>th</sup> Floor, Strawberry Square  
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**DATE: March 7, 2002**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PENNSYLVANIA PROTECTION AND  
ADVOCACY, INC.

Plaintiff

v.

DEPARTMENT OF PUBLIC WELFARE, et al. : (Judge Caldwell)  
Defendants :

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: No. 1:00-CV-01582  
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CERTIFICATE OF CONCURRENCE

I, Michael L. Harvey, Senior Deputy Attorney General, hereby certify that concurrence  
was sought from plaintiff's counsel, who has concurred in the motion.



\_\_\_\_\_  
MICHAEL L. HARVEY  
Senior Deputy Attorney General

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Defendants :

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No. 1:00-CV-01582

CERTIFICATE OF SERVICE

I, Michael L. Harvey, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on this date, I caused to be served a true and correct copy of the foregoing by depositing it in the United States mail, first-class postage prepaid to the following:

Robert W. Meek  
Disabilities Law Project  
1315 Walnut Street, Suite 400  
Philadelphia, PA 19107-4798

Mark J. Murphy  
Disabilities Law Project  
1901 Law and Finance Building  
429 Fourth Avenue  
Pittsburgh, PA 15219-1505



MICHAEL L. HARVEY  
Senior Deputy Attorney General

DATE: March 7, 2002